

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 90-642-C - ORDER NO. 91-108 ✓

MAY 15, 1991

IN RE:	Application of London Communications)	
	Inc. for a Certificate of Public)	ORDER
	Convenience and Necessity to Provide)	GRANTING
	Intrastate Resold Telecommunications)	CERTIFICATE
	Services)	

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of an Application filed by London Communications, Inc. (the Company or London) requesting a Certificate of Public Convenience and Necessity authorizing it to provide operator assisted resold intrastate telecommunications services in the State of South Carolina. The Application was filed pursuant to S.C. Code Ann., Section 58-9-520 (Cum. Supp. 1990) and the Regulations of the Public Service Commission of South Carolina.

The Commission's Executive Director instructed the Company to publish a prepared Notice of Filing in newspapers of general circulation in the affected area, once a week for two consecutive weeks. The purpose of the Notice of Filing was to inform interested parties of the nature of the Application and the manner and time in which to file the appropriate pleadings for participation in the proceeding. Thereafter, the Company provided the Commission with proof of publication of the Notice of Filing. Petitions to Intervene were filed by Southern Bell Telephone & Telegraph (Southern Bell) and the South Carolina Department of Consumer

Affairs (the Consumer Advocate).

A public hearing was held on Tuesday, January 22, 1991 at 11:00 a.m. in the Hearing Room of the Commission at 111 Doctor's Circle, Columbia, South Carolina, with the Honorable Marjorie Amos-Frazier presiding. Frank R. Ellerbe III, Esquire, represented the Company; Carl F. McIntosh, Esquire, represented the Consumer Advocate; Harry Lightsey, Esquire represented Southern Bell; and Sarena D. Burch, Staff Counsel, represented the Commission Staff. The Company presented the testimony of Thomas Duffield in support of its Application and Southern Bell presented the testimony of C.L. Addis. No other witnesses were introduced.

Witness Duffield provided a brief overview and explanation of the request of the Company for a Certificate to operate as a reseller of operator assisted interexchange telecommunications services in South Carolina. Mr. Duffield described the financial status of the Company and its financial ability to meet its goals of providing operator assisted resold intrastate telecommunications service.

In the testimony presented by C.L. Addis, Southern Bell requested that the Commission handle London's request in the same manner which it has handled other resellers and providers of alternative operator services who were seeking intrastate authority. By doing so, the Commission would request London to block all intraLATA calls.

Based on the information contained in London's Application, as well as the evidence of the whole record before the Commission, the Commission makes the following findings of fact and conclusions of

law:

1. That London is a reseller of operator assisted intrastate telecommunications services.

2. That London is a corporation incorporated under the laws of the State of Georgia, but is authorized to do business as a foreign Corporation in the State of South Carolina.

3. That London has the financial resources to provide adequate telecommunications services to consumers in South Carolina.

4. That the Company herein has shown itself to be fit, willing, and able to provide operator assisted intrastate resold telecommunications services and that, therefore, it should be granted a Certificate of Public Convenience and Necessity to provide intrastate, interLATA service through the resale of intrastate Wide Area Telecommunications Service (WATS), Message Telecommunications Service (MTS), Foreign Exchange Service (FX) and Private Line Services, or any other services authorized for resale and reflected as such in tariffs of facility based carriers approved by the Commission.

5. That London's request for COCOT authority to provide 0+ automated collect calling is granted as to the interLATA provision of such service. As for the intraLATA provision of 0+ automated collect calling, the request is denied. The application of London did not specifically request this service. Even though the Commission has granted intraLATA 0+ automated calling from confinement facilities to certain companies in Docket Nos. 90-305-C and 90-642-C, London must seek such authority by making an

appropriate filing with the Commission subject to public notice.

6. The findings and conclusion of the Commission in Order No. 91-122 issued in Docket No. 90-305-C concerning the conditions of certification are pertinent and applicable to London and shall apply as set forth herein:

a. The Company certified herein shall comply with all Commission guidelines pertaining to the provision of COCOT service as set forth in Docket No. 85-150 and any other relevant proceedings. Any departure from the requirements of the guidelines will not be allowed without specific request for a waiver.

b. Waiver of the guidelines is not to be considered a grant of authority to provide "0+" collect store and forward calling from confinement facilities. Rather, it is merely the authorization to program the facilities so that they may carry such calls once proper certification is given by the Commission for "0+" collect calling from confinement facilities only.

c. That the rates charged for "0+" collect calls from confinement facilities on an interLATA basis shall be no more than the rates charged for interLATA operator assisted calls by AT&T Communications at the time such call is completed.

d. The local exchange companies should bill and collect for certified carriers providing "0+" interLATA collect calls from confinement facilities at the applicable rate for interexchange carriers.

e. A rate structure incorporating a maximum rate level

with the flexibility for downward adjustment has been previously adopted by this Commission. IN RE: Application of GTE Sprint Communications Corporations, etc., Order 84-622, issued in Docket 84-10-C on August 2, 1984. The Commission herein finds that the appropriate rate structure for London should include a maximum rate level for each tariff charge, with the restrictions outlined herein duly incorporated.

f. That while the Commission is conscious of the need for the Company to adjust rates and charges timely to reflect the forces of economic competition, rate and tariff adjustments below the maximum levels should not be accomplished without notice to the Commission and to the public. The Company shall incorporate provisions for filing rate changes and publication of notice of such changes two weeks prior to the effective date of such changes, and affidavits of publication must be filed with the Commission. Any proposed increases in the maximum rate level reflected in the tariffs of the Company, which should be applicable to the general body of subscribers would constitute a general ratemaking proceeding which would be treated in accordance with the notice and hearing provisions of the S.C. Code Ann. Section 58-9-540 (Cum. Supp. 1990).

g. The Company is required to brand all calls so that they are identified as the carrier of such calls to the called party.

h. A "0+" collect call should only be completed upon affirmative acceptance of the charges from the called party.

i. Call detail information submitted by the Company to the LEC's for billing must include the COCOT access line number assigned to the line by the local exchange company.

j. The bill provided to the called party should provide the name of the Company and a toll-free number for contacting the Company concerning any billing or service questions.

k. The Company may only use such underlying carriers for the provision of intrastate interLATA telecommunications service as are certified by this Commission to provide such service and the Company will notify the Commission in writing as to their underlying carrier and carriers and of any change in their carrier.

l. The Company is subject to any applicable access charges pursuant to Commission Order No. 86-584.

m. The Company is required to file on a yearly basis surveillance reports with the Commission as required by Order No. 88-178 in Docket 87-483-C. The proper form for these reports is included as Appendix A.

n. The Company should file tariffs in accordance with the findings and conclusions herein within 30 days of the date of this Order; such tariffs will be deemed the Applicant's maximum rates and the Applicants must file a price list of current charges.

7. That the Company should be required to block or switch to the local exchange carrier (LEC) all intraLATA calls which are attempted over its network; and, if it accidentally or incidentally completes any intraLATA calls, it should be required to compensate

the local exchange carrier consistent with the provisions of Order No. 89-793 issued in Docket 86-187-C.

8. That any operator services will be provided for interLATA calls only and any "0+" or "0-" intraLATA or local calls will be handed off to the LEC.

BY ORDER OF THE COMMISSION:


Chairman

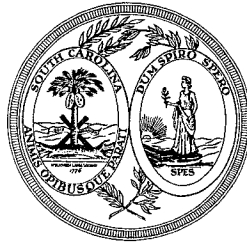
ATTEST:


Executive Director

(SEAL)

THE PUBLIC SERVICE COMMISSION

Marjorie Amos-Frazier
Chairman
Henry G. Yonce
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Commissioner
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Commissioner
Warren D. Arthur, IV
Commissioner



Charles W. Ballentine
Executive Director
(803) 737-5120


C. Dukes Scott
*Deputy Executive Director
and Executive Assistant
to Commissioners*
(803) 737-5133

STATE OF SOUTH CAROLINA

MEMORANDUM

May 20, 1991

TO: All Parties of Record

FROM: Jim McDaniel,  Chief
Telecommunications

IN RE: DOCKET NO. 90-642-C - LONDON COMMUNICATIONS - Application
for a Certificate of Public Convenience and Necessity

Please find enclosed Attachment A that was inadvertently
omitted from Order No. 91-108 dated May 15, 1991.

Enclosure

JMM/jm

ANNUAL INFORMATION ON SOUTH CAROLINA OPERATIONS

FOR INTEREXCHANGE COMPANIES AND AOS'S

(1) SOUTH CAROLINA OPERATING REVENUES FOR THE 12 MONTHS ENDING
DECEMBER 31 OR FISCAL YEAR ENDING _____.

(2) SOUTH CAROLINA OPERATING EXPENSES FOR THE 12 MONTHS ENDING
DECEMBER 31 OR FISCAL YEAR ENDING _____.

(3) RATE BASE INVESTMENT IN SOUTH CAROLINA OPERATIONS* FOR 12
MONTHS ENDING DECEMBER 31 OR FISCAL YEAR ENDING _____.

*THIS WOULD INCLUDE GROSS PLANT, ACCUMULATED DEPRECIATION,
MATERIALS AND SUPPLIES, CASH WORKING CAPITAL, CONSTRUCTION
WORK IN PROGRESS, ACCUMULATED DEFERRED INCOME TAX,
CONTRIBUTIONS IN AID OF CONSTRUCTION AND CUSTOMER DEPOSITS.

(4) PARENT'S CAPITAL STRUCTURE* AT DECEMBER 31 OR FISCAL YEAR
ENDING _____.

*THIS WOULD INCLUDE ALL LONG TERM DEBT (NOT THE CURRENT
PORTION PAYABLE), PREFERRED STOCK AND COMMON EQUITY.

(5) PARENT'S EMBEDDED COST PERCENTAGE (%) FOR LONG TERM DEBT
AND EMBEDDED COST PERCENTAGE (%) FOR PREFERRED STOCK AT YEAR
ENDING DECEMBER 31 OR FISCAL YEAR ENDING _____.

(6) ALL DETAILS ON THE ALLOCATION METHOD USED TO DETERMINE THE
AMOUNT OF EXPENSES ALLOCATED TO SOUTH CAROLINA OPERATIONS AS
WELL AS METHOD OF ALLOCATION OF COMPANY'S RATE BASE
INVESTMENT (SEE #3 ABOVE).